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Before the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)
)
Geographic Partitioning and)
Spectrum Disaggregation by)
Commercial Mobile Radio)
Service Licensees)
)
Implementation of Section 257)
of the Communications Act --)
Elimination of Markey Entry)
Barriers)

WT Docket No. 96-148

GN Docket No. 96-113

To: The Commission

**JOINT REPLY COMMENTS OF
AIRTOUCH PAGING AND POWERPAGE, INC.**

AirTouch Paging and PowerPage, Inc., by their attorneys, hereby jointly reply to the comments filed February 10, 1997 in response to the Further Notice of Proposed Rulemaking (the "Further NPRM") in the above-captioned proceeding. The following is respectfully shown:

1. With one exception, every commenter in this proceeding agrees with the Commission's proposal to extend geographic partitioning and spectrum disaggregation rights to additional commercial mobile radio services. This nearly unanimous agreement reflects the various parties' belief that the principle of regulatory parity requires extending

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the partitioning and disaggregation rules to services that are substantially similar.^{1/}

2. One commenter, Benbow, agrees with AirTouch and PowerPage that narrowband PCS licensees in particular should enjoy the same flexibility to partition service areas and to disaggregate spectrum as accorded to competing service providers.^{2/} Notably, the Commission has just adopted rules that permit partitioning by paging licensees, who directly compete with narrowband PCS carriers.^{3/} For narrowband PCS, the Commission should not only adopt comparable partitioning rights, but also should permit disaggregation, which is appropriate in light of the greater spectrum capacity that exists for narrowband PCS and the ability of licensees to aggregate multiple narrowband PCS channels.

1/ See Comments of SBC Communications, Inc. at 2; Bell Atlantic NYNEX Mobile, Inc. at 3; GTE Service Corporation at 4, 5, 7; BellSouth Corporation at 4; AT&T Wireless Services, Inc. at 3; Cellular Telecommunications Industry Association at 5-6; Benbow P.C.S. Ventures, Inc. ("Benbow") at 2.

2/ Comments of Benbow at 2.

3/ Revision of Part 22 and Part 90 of the Commission's Rules to Facilitate Future Development of Paging Systems, WT Docket No. 96-18, Second Report and Order, FCC 97-59, released February 24, 1997. These rules allow partitioning by MTA and EA paging licensees; the Commission is considering similar rules for nationwide paging licensees.

3. In sum, AirTouch and PowerPage support the adoption of rules providing narrowband PCS licensees the flexibility "to respond to market forces and demands for service relevant to their particular locations and service offerings,"^{4/} through geographic partitioning and spectrum disaggregation.

WHEREFORE, the foregoing premises having been duly considered, AirTouch Paging and PowerPage, Inc. respectfully request that the Commission adopt rules in this proceeding consistent with their Joint Comments.

Respectfully submitted,

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^{4/} Geographic Partitioning and Spectrum Disaggregation by Commercial Mobile Radio Service Licensees, WT Docket No. 96-148, Report and Order and Further Notice of Proposed Rulemaking, FCC 96-474, released December 20, 1996, at para. 101.

CERTIFICATE OF SERVICE

I, Sharon Henry, a secretary with the Firm of Paul, Hastings, Janofsky & Walker LLP, certify that I have on this 25th day of February, 1997, caused a true and correct copy of the foregoing Joint Reply Comments of AirTouch Paging and PowerPage, Inc. to be sent by first-class United States mail, postage prepaid or by hand-delivery to:

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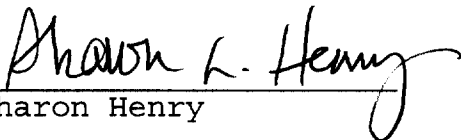
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